

Utah Code Annotated, 26-18, Part 3
Medical Assistance Act

26-18-301. Definitions.

As used in this part:

- (1) "Community based organization":
 - (a) means a private entity; and
 - (b) includes for profit and not for profit entities.
- (2) "Cultural competence" means a set of congruent behaviors, attitudes, and policies that come together in a system, agency, or profession and enables that system, agency, or profession to work effectively in cross-cultural situations.
- (3) "Health literacy" means the degree to which an individual has the capacity to obtain, process, and understand health information and services needed to make appropriate health decisions.
- (4) "Institutional capacity" means the ability of a community based organization to implement public and private contracts.
- (5) "Medically underserved population" means the population of an urban or rural area or a population group designated by the department as having a shortage of primary health care services.
- (6) "Primary health care" means:
 - (a) basic and general health care services given when a person seeks assistance to screen for or to prevent illness and disease, or for simple and common illnesses and injuries; and
 - (b) care given for the management of chronic diseases.
- (7) "Primary health care services" include, but are not limited to:
 - (a) services of physicians, nurses, physician's assistants, and dentists licensed to practice in this state under Title 58, Occupations and Professions;
 - (b) diagnostic and radiologic services;
 - (c) preventive health services including, but not limited to, perinatal services, well-child services, and other services that seek to prevent disease or its consequences;
 - (d) emergency medical services;
 - (e) preventive dental services; and
 - (f) pharmaceutical services.

Amended by Chapter 159, 2008 General Session

26-18-302. Department to award grants and contracts -- Applications.

- (1) (a) Within appropriations specified by the Legislature for this purpose, the department may make grants to public and nonprofit entities for the cost of operation of providing primary health care services to medically underserved populations.
- (b) The department may, as funding permits, contract with community based organizations for the purpose of developing culturally and linguistically appropriate programs and services for low income and medically underserved populations through a pilot program to accomplish one or more of the following:
 - (i) to educate individuals:
 - (A) to use private and public health care coverage programs, products, services, and resources in a timely, effective, and responsible manner;
 - (B) to make prudent use of private and public health care resources;
 - (C) to pursue preventive health care, health screenings, and disease management;

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- (D) to locate health care programs and services;
 - (ii) to assist individuals to develop:
 - (A) personal health management;
 - (B) self-sufficiency in daily care; and
 - (C) life and disease management skills;
 - (iii) to support translation of health materials and information;
 - (iv) to facilitate an individual's access to primary care services and providers, including mental health services; and
 - (v) to measure and report empirical results of the pilot project.
- (2) (a) Grants by the department shall be awarded based on:
- (i) applications submitted to the department in the manner and form prescribed by the department; and
 - (ii) the criteria established in Section 26-18-303.
- (b) The application for a grant under Subsection (2)(a) shall contain:
- (i) a requested award amount;
 - (ii) a budget; and
 - (iii) a narrative plan of the manner in which the applicant intends to provide the primary health care services described in Subsection 26-18-301(7).
- (c) A contract bid for a service under Subsection (1)(b):
- (i) shall be awarded in accordance with Title 63G, Chapter 6, Utah Procurement Code;
 - (ii) must include the information described in Section 26-18-303; and
 - (iii) is subject to Subsection (3) of this section.
- (3) (a) An applicant under this chapter must demonstrate to the department that the applicant will not deny services to a person because of the person's inability to pay for the services.
- (b) Subsection (3)(a) does not preclude an applicant from seeking payment from the person receiving services, a third party, or a government agency if:
- (i) the applicant is authorized to charge for the services; and
 - (ii) the person, third party, or government agency is under legal obligation to pay the charges.
- (4) The department shall maximize the use of federal matching funds received for services under Subsection (1)(b) to fund additional contracts under Subsection (1)(b).

Amended by Chapter 159, 2008 General Session

26-18-303. Content of applications.

Applications for grants under this chapter shall include:

- (1) a statement of specific, measurable objectives, and the methods to be used to assess the achievement of those objectives;
- (2) the precise boundaries of the area to be served by the entity making the application, including a description of the medically underserved population to be served by the grant;
- (3) the results of an assessment of need demonstrating that the population to be served has a need for the services provided by the applicant;
- (4) a description of the personnel responsible for carrying out the activities of the grant along with a statement justifying the use of any grant funds for the personnel;

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(5) letters and other forms of evidence showing that efforts have been made to secure financial and professional assistance and support for the services to be provided under the grant;

(6) a list of services to be provided by the applicant;

(7) the schedule of fees to be charged by the applicant;

(8) the estimated number of medically underserved persons to be served with the grant award; and

(9) other provisions as determined by the department.

Enacted by Chapter 255, 1993 General Session

26-18-304. Process and criteria for awarding grants and contracts.

(1) The department shall establish rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, governing the application form, process, and criteria it will use in awarding grants and contracts under this chapter.

(2) When awarding a primary care grant under Subsection 26-18-302(1)(a), the department shall consider the extent to which the applicant:

(a) demonstrates that the area or a population group to be served under the application has a shortage of primary health care and that the services will be located so that they will provide assistance to the greatest number of persons residing in the area or included in the population group;

(b) utilizes other sources of funding, including private funding, to provide primary health care;

(c) demonstrates the ability and expertise to serve traditionally medically underserved populations including persons of limited English-speaking ability, single heads of households, the elderly, persons with low incomes, and persons with chronic diseases;

(d) demonstrates that it will assume financial risk for a specified number of medically underserved persons within its catchment area for a predetermined level of care on a prepaid capitation basis; and

(e) meets other criteria determined by the department.

(3) When awarding a contract for community based services under Subsection 26-18-302(1)(b), the department shall:

(a) consider the extent to which the applicant:

(i) demonstrates that the area or a population group to be served under the application is a medically underserved area or population and that the services will be located so that they will provide assistance to the greatest number of persons residing in the area or included in the population group;

(ii) utilizes other sources of funding, including private funding, to provide the services described in Subsection 26-18-302(1)(b);

(iii) demonstrates the ability and expertise to serve traditionally medically underserved populations including persons of limited English-speaking ability, single heads of households, the elderly, persons with low incomes, and persons with chronic diseases;

(iv) meets other criteria determined by the department; and

(v) demonstrates the ability to empirically measure and report the results of all contract supported activities;

(b) consider the extent to which the contract increases the applicant's institutional capacity;

(c) consult with the state's:

(i) Medicaid program;

(ii) Children's Health Insurance Program; and

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- (iii) other assistance programs within the Department of Workforce Services and the Department of Human Services; and
- (d) as funding permits, implement the community based service contract as a pilot program for which the department shall enter into contracts for services as follows:
 - (i) two contracts in the amount of \$50,000 each to be awarded to experienced and established applicants; and
 - (ii) three contracts in the amount of \$30,000 each to be awarded to applicants that:
 - (A) are not as established or experienced as the applicants under Subsection (3)(d)(i); or
 - (B) represent smaller community based approaches than the applicants described in Subsection (3)(d)(i).
- (4) Once a contract has been awarded under Subsection (3), the department shall provide technical assistance to the contractee to familiarize the contractee with public and private resources available to support wellness, health promotion, and disease management.

Amended by Chapter 159, 2008 General Session

Amended by Chapter 382, 2008 General Session

26-18-305. Report on implementation.

The department shall report to the Health and Human Services Interim Committee by November 1, 1994, and every year thereafter on the implementation of the grant program for primary care services. The report shall include a description of the scope and level of coverage provided to low-income persons by primary care grant programs.

Amended by Chapter 116, 2006 General Session